

The State of Rhode Island and Providence Plantations

DIVISION OF THE RHODE ISLAND STATE FIRE MARSHAL



**RULES AND REGULATIONS
GOVERNING
THE SALE OF
FIREWORKS AND PYROTECHNICS**

RULES AND REGULATIONG GOVERNING
THE SALE OF FIREWORKS AND PYROTECHNICS

TABLE OF CONTENTS

- Section 1:** Authority
- Section 2:** Registration and Permits
- Section 3:** Applications and Hearings on Permits
- Section 4:** Application for Permit for Sales
- Section 5:** Permit Fee
- Section 6:** Expiration of Permits
- Section 7:** Severability

SECTION 1

AUTHORITY

R.I.G.L § 23-28.11-10

The state fire marshal is hereby authorized and directed to promulgate reasonable rules and regulations governing the possession, sale wholesale and retail, and use of display fireworks and aerial consumer fireworks and pyrotechnics in the state.

SECTION 2

REGISTRATION AND PERMITS

- (A) Registration of and permits for persons, firms, corporations, and partnerships engaged in the business of selling or offering for sale at wholesale or retail certain fireworks as specifically identified in R.I.G.L. § 11-13-1 shall be required.

SECTION 3

APPLICATIONS AND HEARINGS ON PERMITS

- (A) Application for permits under this chapter shall be made pursuant to regulation adopted by the state fire marshal, and those regulations from time to time be amended by the marshal.
- (B) The fire marshal shall have the authority to conduct hearings or proceedings concerning the suspension, revocation, or refusal of the issuance or renewal of permit.

SECTION 4

APPLICATION FOR PERMIT FOR SALES

- (A) The applicant must submit an application to the state fire marshal, on a form provided by the state fire marshal.
- (B) At the time of application the applicant shall provide the following:
 - (1) A government approved photo identification.
 - (2) Satisfactory proof of financial responsibility in the amount of not less than one million dollars (\$1,000,000).
 - (3) Proof of completion of a fireworks safety training program equivalent to that as outlined by OSHA.

Upon receipt of the completed application, the state fire marshal will notify the appropriate AHJ (Authority Having Jurisdiction) to schedule a fire safety inspection of the facility in accordance with N.F.P.A. 1, 2003 edition, as amended by the Fire Safety Code Board of Appeal & Review.

- (C) The permit will be issued by the Division of the State Fire Marshal upon notification from the AHJ that the applicant is in compliance with applicable codes.
- (D) Once issued by the Division of the State Fire Marshal the permit shall be conspicuously posted for viewing at the place of business.
- (E) An additional copy of the permit shall be filed with the local fire department.

SECTION 5

PERMIT FEE

- (A) Each application for a permit under this regulation shall be accompanied by the fee prescribed in this section, which fee shall be returned in the event that the application is denied. The permit fee shall be one hundred dollars (\$100.00) annually.
- (B) All fees collected pursuant to this section shall be deposited as general revenue.

SECTION 6

EXPIRATION OF PERMITS

- (A) All permits issued under this chapter shall expire one year from the issue date noted on the permit, or sooner if revoked.

SECTION 7

SEVERABILITY

- (A) If any part of this regulation shall be declared unconstitutional or invalid, the unconstitutionality or invalidity shall in no way affect the constitutionality or validity of any other portion thereof which can be given reasonable effect without the part so declared unconstitutional or invalid.